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Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**AMENDED NOTICE OF HEARING  
RE OBJECTION OF USACM  
LIQUIDATING TRUST TO PROOF  
OF CLAIM NO.10725-00491-2 IN  
THE AMOUNT OF \$50,000; AND  
CERTIFICATE OF SERVICE**

Date of Hearing: November 15, 2011  
Time of Hearing: 9:30 a.m.

**THE USACM LIQUIDATING TRUST IS OBJECTING TO A CLAIM THAT  
YOU FILED. THE USACM TRUST SEEKS TO DISALLOW CLAIM  
NO. 10725-00491-2.**

**PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY  
COURT TO DISCUSS THE MERITS OF YOUR CLAIM. ADDRESS QUESTIONS  
REGARDING THE CLAIM TO UNDERSIGNED COUNSEL, JOHN  
HINDERAKER (520-629-4430).**

**NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and  
through its counsel, has filed its Objection to Proof of Claim No. 10725-00491-2 by Boren  
Living Trust Dated 6/21/04 (with Certificate of Service) (the "Objection"). The first page  
of your Proof of Claim as required by Nevada LR 3007, is attached to the Objection as  
**Exhibit A.** The USACM Liquidating Trust has requested that this Court enter an order,



1 pursuant to section 502 of title 11 of the United States Code (the “Bankruptcy Code”) and  
2 Rule 3007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”),  
3 disallowing your Proof of Claim in full

4 **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held  
5 before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal  
6 Building, 300 Las Vegas Blvd. South, 3<sup>rd</sup> Floor, Courtroom No. 1, Las Vegas, Nevada on  
7 **November 15, 2011, at the hour of 9:30 a.m.**

8 **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON**  
9 **NOVEMBER 15, 2011, WILL BE HELD FOR THE PURPOSE OF STATUS**  
10 **CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO**  
11 **ARGUMENTS WILL BE HEARD ON THAT DATE.**

12 **NOTICE IS FURTHER GIVEN** that pursuant to Local Rule 9014(d), any  
13 response to the objection must be filed and service must be completed no later than  
14 **fourteen (14) days** preceding the hearing date. The opposition must set forth all relevant  
15 facts and any relevant legal authority.

16 If you object to the relief requested, you *must* file a **WRITTEN** response to this  
17 pleading with the Court. You *must* also serve your written response on the person who  
18 sent you this notice.

19 If you do not file a written response with the Court, or if you do not serve your  
20 written response on the person who sent you this notice, then:

- 21 • The Court may *refuse to allow you to speak* at the scheduled hearing; and
- 22 • The Court may *rule against you* and sustain the objection without formally  
23 calling the matter at the hearing.



1 DATED this 29th day of September, 2011.

2 LEWIS AND ROCA LLP

3  
4 By /s/ John Hinderaker (#18024)  
5 Robert M. Charles Jr. NV 6593  
6 John C. Hinderaker, AZ 18024 (*pro hac vice*)  
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*Attorneys for the USACM Liquidating Trust*

10 Copy of the foregoing  
11 mailed by first class postage prepaid on  
12 September 29, 2011 to:

13 Boren Living Trust Dtd. 6/21/04  
14 Richard D. and Connie L. Boren Ttees  
15 5333 SW 75th St., Apt. E-34  
16 Gainesville, FL 32608-7449

17 LEWIS AND ROCA LLP

18 /s/ Renee L. Creswell  
19 Renee L. Creswell